

**IN THE COURT OF COMMON PLEAS
DIVISION OF PROBATE
LAKE COUNTY, OHIO**

IN RE:)	
)	DOCKET 8 PAGE 314
LOCAL RULE 71.6)	
)	<u>JUDGMENT ENTRY</u>
)	

Pursuant to Sup.R. 75 and for good cause shown, to-wit: The expeditious, orderly and fair operation of the court, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Local Rule 71.6 of the Rules of Probate Court of Lake County, Ohio, adopted May 7, 2007, is repealed and replaced with the following amendment:

Rule 71.6. Consent to Fees.

Where all residuary legatees and devisees have consented in writing to the amount of counsel fees, an application need not be made for the allowance of fees if they are ordinary fees in compliance with Local Rule 71.2, provided the consent is endorsed on the fiduciary account. If the attorney fees are in excess of the guidelines set forth in Local Rule 71.2, an application shall be filed with the court unless the residuary legatees and devisees consent in writing by separate instrument filed with the court, evidencing that the consent is knowingly made. The separate instrument shall set forth the computation of fees under the guidelines set forth under Local Rule 71.2(A), state the fact that the attorney fees are in excess of said guidelines, state the reason for the extraordinary attorney fees, and the amount of the attorney fees requested.

The Court may schedule a hearing on attorney fees although the residuary legatees and devisees consented to the attorney fees as set forth above. A hearing is

mandatory when exceptions to an application for fees or to an accounting based on fees are filed.

IT IS SO ORDERED.

JUDGE TED KLAMMER